

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

SENIOR LIFE YORK, INC.,	:	CIVIL ACTION NO. 1:19-CV-1737
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
ALEX M. AZAR, II, Secretary, United States Department of Health and Human Services, and SEEMA VERMA, Administrator, Centers for Medicare and Medicaid Services,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 25th day of November, 2019, upon consideration of the motion (Doc. 20) to dismiss by defendants, and the motion (Doc. 2) for preliminary injunction by Senior Life York, Inc. (“Senior Life”), and the parties’ respective briefs in support of and opposition to said motions, and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. Defendants’ motion (Doc. 20) to dismiss is GRANTED in part and DENIED in part as follows:
 - a. Senior Life’s substantive due process claim is DISMISSED.
 - b. Defendants’ motion (Doc. 20) is otherwise DENIED.

2. Senior Life's mandamus claim is deemed WITHDRAWN.
3. The motion (Doc. 2) for preliminary injunction is DENIED.
4. Defendants shall respond to Senior Life's complaint in accordance with the Federal Rules of Civil Procedure.

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania